THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.21020 of 1996

Between:

Jangaiah and another. … Petitioners

and

The Special Commissioner, Land Revenue,
Hyderabad and another. … Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.21020 of 1996

ORDER:

The petitioners question the order of the Special Commissioner, Land Revenue, A.P., Hyderabad-1st respondent in proceedings No.BCW6/915/92, dated 02-08-1996, in dismissing the appeal filed by the petitioners against the order of the Joint Collector, Ranga Reddy District, passed in D1/10566/79, dated 09-03-1984.

The 2nd respondent is the main contesting respondent before the 1st respondent as well as before this Court.

Though this court granted interim injunction in W.P.M.P.No.25941 of 1996, the said order has been vacated in W.V.M.P.No.3530 of 1996 on 30-04-1997, as the Authorities concerned gave concurrent findings of fact that the balance of convenience is in favour of the 2nd respondent, but not in favour of the petitioners.

Learned counsel appearing for the 2nd respondent filed a memo on 15-09-2006 stating that the 2nd respondent died on 05-04-1999. Further, the said memo has been filed after issuing notice to the learned counsel appearing for the petitioners.

Learned counsel appearing for the petitioners has not taken any steps to bring the legal representatives of the deceased-2nd respondent on record. Therefore, I am of the opinion that without impleading the legal

representatives of the deceased-2nd respondent on record, the petitioners are not entitled for any relief, as claimed in the writ petition.

Accordingly, the writ petition is dismissed as abated. There shall be no order as to costs.

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26-09-2007

Prv